

2 Serial or Patent No.: \_\_\_\_\_  
3 Filed or Issued: \_\_\_\_\_  
4 For: AVIAN GHD GENES AND THEIR USE IN METHODS FOR SEX IDENTIFICATION IN BIRDS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- 5 ☐ the owner of the small business concern identified below:  
6 ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

7 NAME OF CONCERN ISIS INNOVATION LIMITED  
ADDRESS OF CONCERN 2 South Parks Road, Oxford, OX1 3UB, United Kingdom.

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

- 4 AVIAN GHD GENES AND THEIR USE IN METHODS FOR SEX IDENTIFICATION IN BIRDS by inventor(s)  
1 RICHARD GRIFFITHS & BELA TIWARI  
described in

- ☐ the specification filed herewith  
2,3 ☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
2,3 ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

- 8 NAME \_\_\_\_\_  
9 ADDRESS \_\_\_\_\_  
10 ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION  
11 NAME \_\_\_\_\_  
12 ADDRESS \_\_\_\_\_  
13 ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING TIM COOK  
TITLE OF PERSON OTHER THAN OWNER Managing Director  
ADDRESS OF PERSON SIGNING 2 South Parks Road, Oxford, OX1 3UB, United Kingdom.

SIGNATURE

DATE

13 1 98

08/973363

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Richard GRIFFITHS et al. : ATTN: APPLICATION BRANCH  
Serial No. NEW : Attorney Docket No.  
Filed December 4, 1997 : 263/PPNTIR1172US

AVIAN CHD GENES AND THEIR USE IN  
METHODS FOR SEX IDENTIFICATION  
IN BIRDS

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

COVER LETTER FOR APPLICATION FILED

WITHOUT ORIGINAL EXECUTED DECLARATION

Assistant Commissioner for Patents,  
Washington, D.C. 20231

Sir:

The above-identified application has been submitted without an original executed oath or declaration pursuant to 37 CFR 1.41(c).

It is respectfully requested that this application be assigned a serial number and awarded a filing date pursuant to 37 CFR 1.53.

A duly executed original oath or declaration pursuant to 37 CFR 1.63 will be submitted after notification by the U.S. Patent and Trademark Office pursuant to 37 CFR 1.53(d).

An unexecuted copy of the Declaration and Power of Attorney, containing the required inventorship information, is attached herewith. It is respectfully requested that all communications be

directed to the firm indicated on the attached Declaration and  
Power of Attorney, namely:

WENDEROTH, LIND & PONACK  
Southern Building - Suite 700  
805 Fifteenth Street, N.W.  
Washington, D.C. 20005

The required \$1,708.00 U.S. Patent and Trademark Office filing  
fee is attached herewith.

Respectfully submitted,

Richard GRIFFITHS et al.

By: Warren M. Cheek, Jr.  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicants

WMC/dlk  
Washington, D.C. 20005  
Telephone No. (202) 371-8850  
December 4, 1997

**DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION**

(X) Original    ( ) Supplemental    ( ) Substitute    (X) PCT    ( ) Design

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: AVIAN CHD GENES AND THEIR USE IN METHODS FOR SEX IDENTIFICATION IN BIRDS

of which is described and claimed in:

( ) the attached specification, or

(X) the specification in the application Serial No. \_\_\_\_\_ filed December 4, 1997;

and with amendments through \_\_\_\_\_ (if applicable), or

(X) the specification in International Application No. PCT/GB96/01341, filed June 5, 1996, and as amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
GB	9511439.3	June 6, 1995	Yes

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint John T. Miller, Reg. No. 21,120; Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Jeffrey Nolton, Reg. No. 25,408; Warren M. Cheek, Jr., Reg. No. 33,367; Nils E. Pedersen, Reg. No. 33,145; and, Charles R. Watts, Reg. No. 33,142, who together constitute the firm of WENDEROTH, LIND & PONACK, jointly and severally, attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from STEVENS, HEWLETT & PERKINS as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Send Correspondence to

WENDEROTH, LIND & PONACK  
Southern Building - Suite 700  
805 Fifteenth Street, N.W.  
Washington, D.C. 20005

Direct Telephone Calls to:

WENDEROTH, LIND & PONACK  
Area Code (202) 371-8850

Direct Facsimile Messages to:

Area Code (202) 371-8856

Full Name of First Inventor	FAMILY NAME GRIFFITHS	FIRST GIVEN NAME Richard	SECOND GIVEN NAME
Residence & Citizenship	CITY Oxford	STATE OR COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom
Post Office Address	ADDRESS 4 Upway Road, Oxford, OX3 9QH, United Kingdom	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Second Inventor	FAMILY NAME TIWARI	FIRST GIVEN NAME Bela	SECOND GIVEN NAME
Residence & Citizenship	CITY Oxford	STATE OR COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP Canada
Post Office Address	ADDRESS 4 Upway Road, Oxford, OX3 9QH, United Kingdom	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Third Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

<b>Full Name of Fifth Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY ZIP CODE</b>

  

<b>Full Name of Sixth Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY ZIP CODE</b>

  

<b>Full Name of Seventh Inventor</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
<b>Residence &amp; Citizenship</b>	<b>CITY</b>	<b>STATE OR COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
<b>Post Office Address</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY ZIP CODE</b>

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor \_\_\_\_\_ Date \_\_\_\_\_  
                     Richard GRIFFITHS  
 2nd Inventor \_\_\_\_\_ Date \_\_\_\_\_  
                     Bela TIWARI  
 3rd Inventor \_\_\_\_\_ Date \_\_\_\_\_  
 4th Inventor \_\_\_\_\_ Date \_\_\_\_\_  
 5th Inventor \_\_\_\_\_ Date \_\_\_\_\_  
 6th Inventor \_\_\_\_\_ Date \_\_\_\_\_  
 7th Inventor \_\_\_\_\_ Date \_\_\_\_\_

The above application may be more particularly identified as follows:

U.S. Application Serial No. \_\_\_\_\_ Filing Date December 4, 1997  
 Applicant Reference Number PP/NT/IR/1172 US Atty Docket No. 263/PPNTIR1172US  
 Title of Invention AVIAN CHD GENES AND THEIR USE IN METHODS FOR SEX IDENTIFICATION IN BIRDS